

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO. 528 OF 2022

Jitendra Hari Patil

..Applicant

V/s.

The State of Maharashtra

..Respondent

Mr. Gaurav Parkar for the Applicant.

Mr. S.R. Agarkar, APP for the Respondent/State.

Mr. Abhijit Mankar, Excise Sub-Inspector.

CORAM : C.V. BHADANG, J.

DATE : 1 MARCH 2022

P.C.

1. The Applicant, apprehending his arrest, in connection with the investigation of Crime No. 4 of 2022 registered with Excise Department, Taloja, Dist. Raigad under Section 65(a), (e) of the Maharashtra Prohibition Act, is seeking anticipatory bail.

2. Heard learned counsel for the parties. A perusal of the FIR dated 04.01.2022 lodged by S.A. More, attached to the State Excise Department shows that on the day of incident, country liquor was recovered from a vehicle which was belonging to the Applicant. However, the rider of the vehicle fled away from the spot.

3. The learned counsel for the Applicant pointed out that learned Sessions Judge has refused to grant anticipatory bail mainly on the ground of criminal antecedents. However, the learned counsel has produced the copy of the Judgment dated 16.02.2022 in Summary Case No. 6763 of 2018 by which the Applicant has been acquitted of the offence under Section 65A of the said Act. It is submitted that at present there are no criminal antecedents to the discredit of the Applicant. The illicit liquor as well as vehicle have already been seized. Admittedly, the Applicant was not present at the spot when the recovery of the illicit liquor was made.

4. In that view of the matter, the following order is passed:

ORDER

i) In the event of his arrest, in connection with the investigation of Crime No. 4 of 2022 registered with Excise Department, Taloja, Dist. Raigad, the Applicant **Jitendra Hari Patil** shall be released on bail on executing a PR Bond in the sum of Rs.25,000/- with one or two solvent sureties in the like amount.

ii) The Applicant shall report to the Investigating Officer on 7 and 8 March 2022 between 11.00 a.m. to 1.00 p.m. and as and when required by the Investigating Officer.

iii) The Applicant shall co-operate with the Investigating Agency and shall not tamper with the prosecution evidence/witnesses.

iv) The criminal application is disposed of in the aforesaid terms.

(C.V. BHADANG, J.)